

History of Statute & Rules

1972 Initiative 276 – Forfeiture Language

“Such funds shall be forfeited to the State of Washington unless the nonreporting committee has filed with the commission a statement disclosing:”

RCW 42.17.090(1)(k) - First Codification

“Such funds shall be forfeited to the State of Washington unless the nonreporting committee has filed with the commission a statement disclosing:”

1973 WAC 390-16-050 – Public Hearing and C-5 Created

C-5 Form became the official Form for reporting by Political Committees not Domiciled in Washington State.

1974 WAC 390-16-055 – Public Hearing and Filing Requirements, Return of Funds Requirements

Must file before making contribution. Responsibility of committee receiving funds to determine compliance. If no filing, the funds must be returned immediately. Any other action would result in forfeiture of funds to the state.

1975 RCW 42.17.090(1)(k) – Recipient Reference; Filing Time Period

“Such funds shall be forfeited to the State of Washington unless the nonreporting committee (**or the recipient of such funds**) has filed (**or within three days following such receipt shall file**) with the commission a statement disclosing:”

1975 WAC 390-16-055 – Public Hearing and Title Corrected

Changed the title wording from Committee to Committees.

1976 WAC 390-16-050 – Public Hearing and Address Corrected

PDC changed address from the Insurance Building to the Evergreen Plaza Building.

1979 WAC 390-16-055 – Public Hearing and Title Change; Other Clarifications

Title change. Allowed information to be reported by the recipient and clarified what happens—either return the funds or forfeiture.

1982 WAC 390-16-050 – Public Hearing and Form Revised

Form was revised.

1982 WAC 390-16-055 – Public Hearing and Return of Funds Referenced

If the funds are returned then the money is not reportable as a contribution and allowed updating of the C-5 Form by letter.

1983 RCW 42.17.090(1)(k) - Change Number of Days.

“Such funds shall be forfeited to the State of Washington unless the nonreporting committee or the recipient of such funds has filed or within **(ten)** days following such receipt shall file with the commission a statement disclosing:”

1986 WAC 390-16-050 – Public Hearing and Phrase Added

Added the phrase “or otherwise not required to report.”

1986 WAC 390-16-055 – Public Hearing and References Revised

Changed language from “out-of-state committees” to “Non-reporting Committees” and changed the word “defined” to “described.”

RCW 42.17.090(1)(k) - Removed Recipient’s Requirement to File

“Such funds shall be forfeited to the State of Washington unless the nonreporting committee ~~or the recipient of such funds~~ has filed or within ten days following such receipt file with the commission a statement disclosing:”

1987 WAC 390-16-050 – Public Hearing and Form Revised

Form was revised.

1993 AGO 1993 No. 3 – Political Committees and Jurisdiction Over Out-of-State Committees

Only when there is purposeful minimum contact between the out-of-state committee and Washington would the state have jurisdiction over an out-of-state political committee. If a nonreporting committee makes political contributions in Washington the state would have jurisdiction and the nonreporting committee must file under RCW 42.17.090(1)(k) or the contribution will be forfeited to the state.

1993 WAC 390-16-050 – Public Hearing and Form Revised

Form was revised.

1995 RCW 42.17.090(l) – Changed Subsection Number

“Such funds shall be forfeited to the State of Washington unless the nonreporting committee has filed or within ten days following such receipt file with the commission a statement disclosing:”

1996 WAC 390-16-055 – Public Hearing and Statutory Reference Updated

Statutory reference change.

2002 WAC 390-16-050 – Public Hearing and References Changed

Changed “not domiciled in Washington State” to “out-of-state or federal political committees.” Also specified the types of committees that used the form.

2002 WAC 390-16-055 – Public Hearing and References Changed

Clarified that the receiving committee must forfeit funds if a C-5 report is not filed within 10 days of receipt by the out-of-state or federal political committee. Changes “non-reporting Committees” to “out-of-state or federal political committees.” Changed from three to five days the time in which a receiving committee can return the funds and not have them reportable as a contribution.